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Mark Webster Newman

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PVF -- PARC

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EXAMINER

VU, TRISHA U

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/052,585	Applicant(s) NEWMAN ET AL.	
	Examiner TRISHA VU	Art Unit 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to Applicant's amendment filed 01/17/2008. Applicant currently amended claims 1, 11 and 20.
2. Claims 1-28 are presented for examination.
3. Claims 1, 11 and 20 are independent claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter "avoiding the need of downloading and installing the universal contextual interface onto the second device" which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant refers to paragraphs 0026, 0028 and 0038-0039, however, these paragraphs only disclose the transfer of contextual data from the PDA, and are silent regarding "avoiding the need of downloading and installing the universal contextual interface onto the second device".

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Pleso (U.S. Patent 6,009,480).

Regarding claims 1, 11 and 20, Pleso teaches a system and a method comprising:

a plurality of devices (host computer 54, peripheral devices P1-P4 such as printer, scanner, etc., Figs. 10- and col. 4 line 29 et seq.), wherein devices within the plurality of devices communicate with incompatible protocols (e.g. host computer 54 and printer 52 have incompatible protocols, the host computer must download the printer's driver in order to control the printer, otherwise it cannot understand and work with the printer, col. 1 lines 29-54, and col. 7 lines 49-58);

a first device in the plurality of devices (e.g. printer 52) having a universal contextual interface (e.g. interface 82 and associated circuitry, Fig. 3 and col. 7 lines 6-9), the universal contextual interface associated with at least one instruction (e.g. when the host initiates command to download driver), for transferring contextual data (e.g. driver and associated configuration data) associated with the first device (col. 8 lines 19-49); and

a second device in the plurality of devices (e.g. the host computer 54) that invokes the universal contextual interface of the first device by executing the at least one instruction to transfer the contextual data between the first device and at least one of the plurality of devices (the host computer 54 prompts the printer 52 with a unique command to

download the driver code from the printer to the host, col. 8 lines 43-49), the plurality of devices having no prior knowledge of each other (the host computer does not have prior knowledge of the newly connected printer) (col. 8 lines 12-29);

wherein the universal contextual interface is directly invoked by the second device to allow the contextual data to be transferred to the second device, thereby avoiding the need of downloading and installing the universal contextual interface onto the second device (col. 8 lines 12-29).

As for claims 2, 12 and 21, Pleso teaches wherein the at least one of the plurality of devices comprises the second device (col. 4 lines 29-33 and col. 5 lines 2-15).

As for claims 3, 13 and 22, Pleso teaches wherein the first device sends a context object to the second device to be used by the second device to transfer the contextual data (the printer 52 sends context object such as how many interrupts does the printer need, how many address space does the printer need, the size of the driver, etc. to be used by the host computer to transfer the driver data, col. 8 lines 21-29 and col. 10 lines 30-50).

As for claim 4, Pleso teaches wherein the second device receives a context object from the first device to be used by the at least one of the plurality of devices for receiving contextual data transmitted from the first device (col. 8 lines 21-29 and col. 10 lines 30-50).

As for claims 5, 14 and 23, Pleso teaches wherein the at least one of the plurality of devices uses the contextual data as a criteria to authorize the first device or the second

device to access instructions, data or operations associated with the at least one of the plurality of devices (col. 1 lines 29-54, and col. 7 lines 49-58).

As for claims 6, 15 and 24, Pleso teaches wherein the universal contextual interface or a context object have source-specific, object-oriented mobile code that can be understood and performed by the at least one of the plurality of devices to receive contextual data (col. 8 lines 21-29 and col. 10 lines 30-50).

As for claims 7, 16 and 25, Pleso teaches wherein the plurality of devices comprise at least one device, at least one software application or at least one file (col. 5 lines 2-15).

As for claims 8, 17 and 26, Pleso teaches wherein the first device further comprises a historical database having at least one record of data provided by the second device during invocation of the universal contextual interface (col. 8 lines 21-29 and col. 11 lines 45-54).

As for claims 9, 18 and 27, Pleso teaches wherein the second device invokes a universal notification interface to register the at least one of the plurality of devices to receive an event notification each time the contextual data changes (col. 13 lines 25-35).

As for claims 10, 19 and 28, Pleso teaches wherein the contextual data comprises executable computer language instructions, or a type, operating status, identity, location, administrative domain or environment information of at least one of the plurality of devices (col. 1 lines 29-54, and col. 8 lines 21-29).

Response to Arguments

6. Applicant's arguments filed 01/17/2008 have been fully considered but they are not persuasive:

a. Regarding Applicant's argument that "*the universal contextual interface is a communication interface associated with a source device of the context information, such as PDA 16 (see paragraph [0026] of the instant application)*" (page 9 of the Remarks), it is noted that this definition of universal contextual interface is not disclosed in paragraph [0026] or anywhere in the Specification. Note paragraph [0026]:

[0026] Referring to FIG. 3, computer 12 is coupled to PDA 16 as described above in connection with FIG. 1. PDA 16 has stored in a memory or otherwise has access to, which will hereinafter be referred to as being "associated with," a set of universal interfaces 16a comprising a contextual interface, a notification interface, a user interface and a data source interface. The particular number and/or combination of interfaces may vary and will depend upon the particular type of device PDA 16 is, and the capabilities and/or services desired or provided by it. Also, PDA 16, and hence the set of universal interfaces 16a, may be updated at any time to add, delete or modify interfaces.

b. Regarding Applicant's argument that "*the universal contextual interface does not need to be downloaded from the source device to the requesting device and does not need to be installed on the requesting device to establish the communication between the source device and the requesting device*" (pages 9-10 of the Remarks), it is noted that Pleso clearly discloses the second device (host computer 54) invokes the universal interface (interface 82) of the first device (printer 52) by prompting the printer 52 with a unique command to download the contextual data (driver code) from the printer to the host (col. 8 lines 43-49). Note that only the contextual data are transferred to the host, and the universal interface (interface 82) does not need to be downloaded from the printer to the host.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRISHA VU whose telephone number is (571)272-3643. The examiner can normally be reached on Mon-Thur and alternate Fri 8:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trisha Vu/
Examiner, Art Unit 2111

/Glenn A. Auve/
Primary Examiner, Art Unit 2111